

UTC 8524C

After Recording Return to:
Lee + Kaser Attorneys at law
880 SE Jackson
Roseburg, OR 97470

2009-013964

Klamath County, Oregon



00074665200900139640090099

10/28/2009 03:28:09 PM

Fee: \$87.00

**AFFIDAVIT OF MAILING
AFFIDAVIT OF PUBLICATION OF NOTICE OF SALE
PROOF OF SERVICE ON OCCUPANT(S)**

STATE OF OREGON]
] ss.
County of Douglas]

I, STEPHEN W. KASER, being duly sworn, depose, say, certify and swear that:

1. At all material times herein, I was and now am a resident of the state of Oregon, a competent person over the age of 18 years, and not the beneficiary or its successor in that Trust Deed dated October 16, 2007, recorded October 19, 2007, in the Microfilm Records of Klamath County, Oregon as Instrument No. 2007-018095, between Ronald M. Snyder, Jr., as grantor, and Orville Clark Houston and Patricia Ann Houston, Co-Trustees of the Houston Family Trust, Dated September 2, 1997, as beneficiary.
2. On July 10, 2009, a duplicate original of the Notice of Default, Election to Sell and Notice of Sale, which was recorded June 26, 2009, in the Klamath County, Oregon, Official Records as Instrument No. 2009-008885, along with the 2009 Two Page Notice, and Modification Request Form, were sent in a sealed envelope to Ronald M. Snyder, Jr., P.O. Box 633, Junction City, OR, 97448, via certified mail, return receipt requested, postage prepaid and also in a sealed envelope via first class mail, postage prepaid. A copy of the Two Page Notice and Modification Request Form

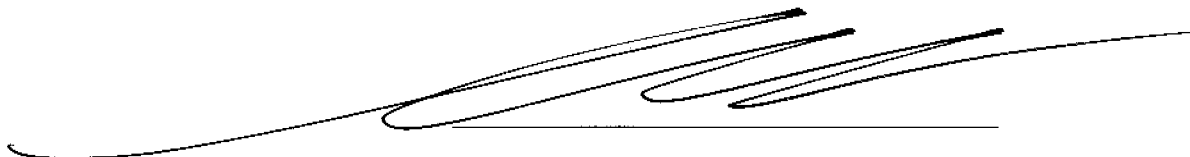
87Am

3. The Two Page Notice and Modification Request Form were also sent in a sealed envelope to Ronald M. Snyder, Jr., P.O. Box 633, Junction City, Oregon, 97448, via certified mail, return receipt requested, postage prepaid and also in a sealed envelope via first class mail, postage prepaid on September 24, 2009 and was received by Bonnie Snyder on behalf of Ronald M. Snyder, Jr. on September 30, 2009, as evidenced by the Certified Mail Return Receipt signed by Bonnie Snyder. On or about October 1, 2009, Ronald M. Snyder, Jr. returned the previously provided Modification Request Form to me via First Class Mail.

4. On July 22, 2009, at 10:54 a.m., the Notice of Default, Election to Sell and Notice of Sale, which was recorded June 26, 2009, in the Klamath County, Oregon, Official Records as Instrument No.2009-008885, was personally served on Stacy McMahan, an occupant of 1319 Cheryl Drive, La Pine, Oregon, 97739, and all other occupants were also substitute served. Said services are further described in the Affidavit of Service, attached.

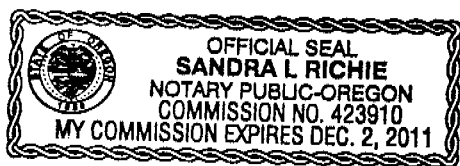
5. On September 3, 2009, I received on behalf of the Beneficiaries a letter from Grantor requesting the amounts due and what arrangements could be made to resolve the defaults. On September 8, 2009, I advised Mr. Snyder in writing, via letter sent certified mail, return receipt requested, and first class mail, the amounts due and that, based on previous defaults, the Beneficiaries were not inclined to modify the loan, but if he wanted to speak to me directly, he could contact us by phone to discuss the options. I later received from Mr. Snyder dated October 1, 2009 with a Modification Request Form. I spoke with Mr. Snyder's representative, Bonnie Snyder, on October 5, 2009 and we agreed that Ron Snyder would make a proposal in writing. On or about October 7, 2009, I received a written proposal to modify the loan. The beneficiaries have attempted in good faith to reach an agreement but as of this date no agreement has been performed.

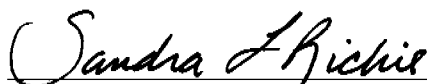
6. Notice of Sale was published in the Herald and News newspaper of Klamath County, Oregon on September 23, 2009, September 30, 2009, October 7, 2009 and October 14, 2009. The Affidavit of Publication is attached.



By: Stephen W. Kaser, Successor Trustee

SIGNED and SWORN to before me this 27th day of October, 2009, by Stephen W. Kaser.




Notary Public for Oregon
My Commission Expires: 12/02/2011

**NOTICE: YOU ARE IN DANGER OF LOSING YOUR PROPERTY IF
YOU DO NOT TAKE ACTION IMMEDIATELY**

This notice is about your mortgage loan on your property at: 1319 CHERYL DRIVE, LA PINE, OREGON, 97739.

Your lender has decided to sell this property because the money due on your mortgage loan has not been paid on time or because you have failed to fulfill some other obligation to your lender. This is sometimes called "foreclosure."

The amount you would have had to pay as of **June 25, 2009** to bring your mortgage loan current was **\$6,571.78**. The amount you must now pay to bring your loan current may have increased since that date.

By law, your lender has to provide you with details about the amount you owe, if you ask. You may call **Stephen W. Kaser at (541)672-0800** to find out the exact amount you must pay to bring your mortgage loan current and to get other details about the amount you owe. you may also get these details by sending a request by certified mail to:

Stephen W. Kaser
LEE & KASER, P.C.
P.O. Box 486
Roseburg, OR 97470

**THIS IS WHEN AND WHERE YOUR PROPERTY WILL BE SOLD IF
YOU DO NOT TAKE ACTION:**

Date and time: **Said sale with be held at the hour of 10:00 o'clock, am**, as established by Section 187.110 of Oregon Revised Statutes **on November 10, 2009.**

Place: **at the door of the Klamath County Courthouse, 316 East Main Street, Klamath Falls, State of Oregon**

THIS IS WHAT YOU CAN DO TO STOP THE SALE:

1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can call Stephen W. Kaser of LEE & KASER, P.C. at (541)672-0800 to find out if your lender is willing to give you more time or change the terms of your loan.

4. You can sell your home, provided the sale price is enough to pay what you owe.

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call the statewide telephone contact number at **(866)814-9710**. You may also wish to talk to a lawyer. If you need help finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at **(503)684-3763** or toll-free in Oregon at **(800)452-7636** or you may visit its website at: **<http://www.osbar.org/public>**. Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, go to **<http://www.lawhelp.org/or/index.cfm>**.

Your lender may be willing to modify your loan to reduce the interest rate, reduce the monthly payments or both. You can get information about possible loan modification programs by contacting your lender at: **(541)672-0800 (request to speak to Stephen W. Kaser)**. If you cannot reach your lender, you may contact the trustee at the telephone number at the bottom of this notice. If you have already entered into a loan modification with your lender, it is possible that you will not be able to modify your loan again unless your circumstances have changed. Your lender is not obligated to modify your loan.

You may request to meet with your lender to discuss options for modifying your loan. During discussions with your lender, you may have the assistance of a lawyer, a housing counselor or another person of your choosing. To receive a referral to a housing counselor or other assistance available in your community, call this toll-free consumer mortgage foreclosure information number: **(800)723-3638**. Many lenders participate in new federal loan modification programs. You can obtain more information about these programs at: **<http://www.makinghomeaffordable.gov/>**.

IF YOU WANT TO APPLY TO MODIFY YOUR LOAN, YOU MUST FILL OUT AND MAIL BACK THE ENCLOSED "MODIFICATION REQUEST FORM." YOUR LENDER MUST RECEIVE THE FORM BY **NOVEMBER 4, 2009**, WHICH IS 30 DAYS AFTER THE DATE SHOWN BELOW.

WARNING: You may get offers from people who tell you they can help you keep your property. You should be careful about those offers. Make sure you understand any papers you are asked to sign. If you have any questions, talk to a lawyer or one of the organizations mentioned above before signing.

DATED: September 24, 2009

Trustee name: **Stephen W. Kaser**

Trustee telephone number: **(541) 673-0800**


SIGNATURE

MODIFICATION REQUEST FORM

I wish to modify my loan. My contact information is:

Name: _____

Physical Address: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

Monthly Income: _____

Source of Monthly Income: _____

Monthly Expenses: _____

Signature

PLEASE RETURN THIS FORM TO:

STEPHEN W. KASER
LEE & KASER, P.C.
PO BOX 486
ROSEBURG OR 97470

NO LATER THAN NOVEMBER 4, 2009

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RONALD M SNYDER JR
PO BOX 633
JUNCTION CITY OR 97448

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Ronald Snyder Jr ☒ Agent ☐ Addressee

B. Received by (Printed Name)

Ronald Snyder Jr ☒ Date of Delivery ☐ Yes ☐ No

D. Is delivery address different from item 1? ☐ Yes ☐ No



3. Service Type

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label)

7008 3230 0002 3359 3431

PS Form 3811, February 2004

Domestic Return Receipt

AFFIDAVIT OF SERVICE

TRUSTEE'S NOTICE OF SALE

Beneficiary:
HOUSTON FAMILY TRUST,

vs.

Grantor:
RONALD M. SNYDER, JR.,

For:
Stephen W. Kaser
Lee & Kaser, P.C.
880 SE Jackson
PO Box 486
Roseburg, OR 97470

Received by CENTRAL LEGAL SERVICES on the 17th day of July, 2009 at 1:48 pm to be served on **All Occupant(s), 1319 Cheryl Drive, La Pine, OR 97739.**

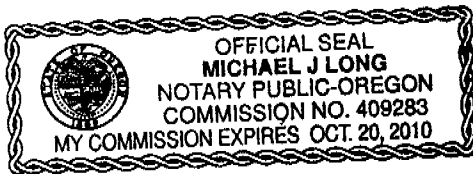
I, Eric Mathews, being duly sworn, depose and say that on the **22nd day of July, 2009 at 10:54 am, I:**

Did **PERSONALLY SERVE** true copies of the within **TRUSTEE'S NOTICE OF SALE** by delivering said copies personally and in person, to STACY McMAHAN at the aforementioned address and at the same time I did **SUBSTITUTE SERVE ALL OTHER OCCUPANTS** by delivering a true copy to the above named, and informing said person of the contents thereof. Said person is 14 years of age or older, and is a co-occupant of the dwelling house or usual place of abode.

CERTIFICATE OF MAILING: I hereby certify that on JULY 22, 2009 I did cause to be **MAILED**, first class postage affixed, a copy of the aforementioned documents together with this statement of the date, time, place and person to which **SUBSTITUTED SERVICE** was made at the above address. When multiple defendants are served, each one is sent an individual mailing.

(If mailed by other than server _____)

I further certify that I am a competent person over the age of 18 and a resident of the state of Oregon, and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise: that the person served by me is the identical person named in the action. I also declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service including service fees is true and correct.



Subscribed and Sworn to before me on the 22nd day of July, 2009 by the affiant who is personally known to me.

NOTARY PUBLIC

A handwritten signature of Eric Mathews in black ink.

Eric Mathews
Process Server

CENTRAL LEGAL SERVICES
P.O. Box 130
Bend, OR 97709
(541) 389-8133

Our Job Serial Number: 2009001924

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, Business Manager, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that I know from my personal knowledge that the

Legal # 11599

Notice of Sale/Ronald M. Snyder, Jr.

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)
Four

Insertion(s) in the following issues:

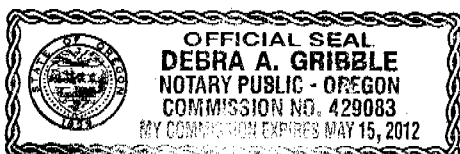
September 23, 30, October 7, 14, 2009

Total Cost: \$983.03

Subscribed and sworn by Jeanine P Day
before me on: October 14, 2009

Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Ronald M. Snyder, Jr. as grantor, to AmeriTitle, an Oregon corporation, as trustee in favor of Orville Clark Houston and Patricia Ann Houston, Co-Trustees of the Houston Family Trust, Dated September 2, 1997, as beneficiary, dated October 16, 2007, recorded October 19, 2007, as Instrument No. 2007-018095, Microfilm Records of Klamath County, Oregon, covering the following described real property: **Lot 9 in Block 17, of Tract No. 1061, SECOND ADDITION TO RIVER PINE ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. COMMONLY KNOWN AS: 1319 Cheryl Drive, LaPine, Oregon 97739.**

The real property includes a 1973 Kings Manufactured structure, County I.D. No. M809281, VIN 61LK6412F2S2600, which is exempt from registration and title.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

Missed installment obligations of \$393.76 each from through September 2008 to present; plus late charges of \$19.68 each from September 1, 2008 to present; together with real property taxes.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being \$34,490.49, plus interest, accrued late charges, foreclosure costs and advances.

WHEREFORE, notice is hereby given that the undersigned trustee will on **November 10, 2009** at the hour of **10:00 a.m.** Pacific Time, as established by, Oregon Revised Statutes, at the door of the **Klamath County Courthouse, 316 East Main Street, Klamath Falls, State of Oregon**, sell at public auction to the highest bidder for cash in the form of a Cashier's Check the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said Trust Deed, together with any interest which the grantor or his successors in interest acquired after the execution of said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee.

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary the entire amount then due (other than such portion of the principal would not then be due had no default occurred) and by curing any other default contained herein that is capable of being cured by tendering the performance required under the obligation or Trust Deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees not exceeding the amounts provided by of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes a plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

This an attempt to collect a debt. Any information obtained will be used for that purpose.

Dated this 2nd day of September, 2009.

First date of publication: September 16, 2009.

By: Stephen W. Kaser, Successor Trustee
PO Box 486, Roseburg, OR 97470

For further information regarding this foreclosure, please contact Stephen W. Kaser at (541) 672-0800.
#11599 September 23, 30, October 7, 14, 2009.